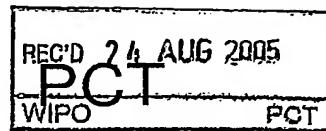


# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220



## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

		Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)
Applicant's or agent's file reference see form PCT/ISA/220		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. PCT/US2005/015588	International filing date (day/month/year) 04.05.2005	Priority date (day/month/year) 04.05.2004
International Patent Classification (IPC) or both national classification and IPC G05B19/042		
Applicant FISHER-ROSEMOUNT SYSTEMS, INC.		

### 1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

### 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

### 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:	Authorized Officer
 European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Vaño Gea, J Telephone No. +49 89 2399-7671 

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**Box No. I Basis of the opinion**

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1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material:  
 in written format  
 in computer readable form
  - c. time of filing/furnishing:  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or  
industrial applicability; citations and explanations supporting such statement**

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**1. Statement**

Novelty (N)	Yes:	Claims	
	No:	Claims	1-42
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-42
Industrial applicability (IA)	Yes:	Claims	1-42
	No:	Claims	

**2. Citations and explanations**

**see separate sheet**

**Re Item V**

**Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

- 1 The following documents were cited in the International Search Report:
  - D1: WO 95/04314 A (FISHER-ROSEMOUNT SYSTEMS, INC) 9 February 1995 (1995-02-09)
  - D2: US 2004/075689 A1 (SCHLEISS DUNCAN ET AL) 22 April 2004 (2004-04-22)
  - D3: US-A-5 706 455 (BENTON ET AL) 6 January 1998 (1998-01-06)
- 2 Document D1 is considered to represent the most relevant state of the art for independent claim 1.
- 2.1 Document D1 discloses a configuration system for use in a process plant having a plurality of physical and logical process entities 112 which operate together to perform a process and a process controller 100 communicatively connected to the plurality of physical and logical process entities to implement a control routine to control the operation of the process plant (D1, page 1, lines 13-21 and figure 4), the configuration system comprising:
  - a) an executable graphic display that includes one or more visual depictions to be displayed on a display device 118 when the graphic display is executed (D1, page 5, line 29 to page 6, line 8),
  - b) a parameter memory 117 adapted to store a value of a parameter and
  - c) a binding memory 122 adapted to store a reference for communicatively connecting the parameter memory to a data source within the process plant (D1, page 9, line 7 to page 11, line 17 and figures 1 and 2);
  - d) a configuration database 120 that stores an indication of the physical and logical process entities and an indication of the executable graphic display (D1, page 31, line 20 to page 32, line 9 and figure 16); and

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- e) a configuration engine 124 that enables a user to configure the operation of the graphic display by associating the graphic display within the configuration database with one of the indications of the physical and logical process entities within the configuration database (D1, page 12, line 13 to page 13, line 19 and figure 4).
- 2.2 Thus, the combination of features of independent claim 1 is entirely disclosed by the device described in D1. Therefore, the subject-matter of claim 1 is not new (Article 33(1) and (2) PCT).
- 3 Document D1 is further considered to represent the most relevant state of the art for independent claim 19.
- 3.1 Document D1 discloses a method of configuring a process plant to include graphic displays for execution on one or more display devices within the process plant (D1, page 1, lines 13-21 and figure 4), the method comprising:
- a) defining one or more executable graphic displays for use in the process plant (D1, page 7, lines 3-11);
  - b) storing an indication of one or more physical and logical process entities within a configuration database 120 (D1, page 31, line 20 to page 32, line 9 and figure 16);
  - c) storing an indication of the one or more executable graphic displays in the configuration database (D1, page 7, lines 3-11); and
  - d) enabling a user to configure the operation of the executable graphic displays by associating the indications of the one or more executable graphic displays within the configuration database with the indications of the one or more physical and logical process entities within the configuration database (D1, page 7, lines 13-27).
- 3.2 Thus, the combination of features of independent claim 19 is entirely disclosed by the device described in D1. Therefore, the subject-matter of claim 19 is not new (Article 33(1) and (2) PCT).

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- 4 Document D1 is further considered to represent the most relevant state of the art for independent claim 36.
- 4.1 Document D1 discloses a method of using executable graphic displays within a process environment (D1, page 1, lines 13-21 and figure 4), the method comprising:
  - a) creating one or more executable graphic displays to include one or more visual depictions and one or more parameters to be bound to data sources within the process plant (D1, page 7, lines 3-27);
  - b) storing a role for each of the one or more executable graphic displays (D1, page 7, lines 3-11); and
  - c) assigning the one or more executable graphic displays to display devices according to the defined roles for the one or more executable graphic displays (D1, page 7, lines 3-11).
- 4.2 Thus, the combination of features of independent claim 36 is entirely disclosed by the device described in **D1**. Therefore, the subject-matter of claim 36 is **not new** (Article 33(1) and (2) PCT).
- 5 Documents D2 and D3 are also considered to be prejudicial to the **novelty** of the subject-matter of independent claims 1, 19 and 36 (Article 33(1) and (2) PCT).
- 6 The additional features of dependent claims **2-18, 20-35 and 37-42** define only constructional details which are known from document D1. Therefore, said claims do not contain any additional features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT with respect to **novelty** (Article 33(1) and (2) PCT).